

BOARD OF SUPERVISORS

Brown County

305 E. WALNUT STREET
P. O. BOX 23600
GREEN BAY, WISCONSIN 54305-3600



E-Mail BrownCountyCountyBoard@co.brown.wi.us

PHONE (920) 448-4015 FAX (920) 448-6221

"PUBLIC NOTICE OF MEETING"

Pursuant to Section 19.84 Wis. Stats., notice is hereby given to the public that the following meetings will be held

THE WEEK OF MAY 6 - 10, 2013

*5:30 pm	Executive Committee	<u>MONDAY, MAY 6, 2013</u>	Room 200, Northern Building 305 E. Walnut Street
		<u>TUESDAY, MAY 7, 2013</u> (No Meetings)	
		<u>WEDNESDAY, MAY 8, 2013</u> (No Meetings)	
*5:15 pm	Human Services Board	<u>THURSDAY, MAY 9, 2013</u>	Board Room A, Sophie Beaumont 111 N. Jefferson Street
		<u>FRIDAY, MAY 10, 2013</u> (No Meetings)	

Any person wishing to attend who, because of a disability, requires special accommodation, should contact the Brown County Human Resources Office at 448-4065 by 4:30 p.m. on the day before the meeting so that arrangements can be made.

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E-mail bc_county_board@co.brown.wi.us

EXECUTIVE COMMITTEE

Tom Lund, Chairman
Patrick Moynihan, Jr., Vice-Chairman
Steve Fewell, John Vander Leest, Patrick Evans
Bernie Erickson, Patrick Buckley

EXECUTIVE COMMITTEE

Monday, May 6, 2013

5:30 p.m.

Room 200, Northern Building
305 E. Walnut Street

- I. Call meeting to order.
- II. Approve/modify agenda.
- III. Approve/modify Minutes of April 8, 2013.

Comments from the Public

Vacant Budgeted Positions (Request to Fill)

1. Circuit Courts – Judicial Assistant - Vacated 4/30/13.
2. Corporation Counsel – Assistant Corporation Counsel - Vacated – To be determined.
3. Corporation Counsel – Lead Assistant Corporation Counsel - Vacated 6/4/13.
4. Health – Environmental/Lab Manager - Vacated 8/16/13.
5. Human Resources – Benefits Specialist - Vacated 5/15/13.
6. Human Services-CTC – Scheduling Specialist - Vacated 4/3/13.
7. Human Service-CTC – Behavioral Health Clinic Manager - Vacated 4/1/13.
8. Human Services-Economic Support – Economic Support Specialist (x2) - Vacated 4/15/13 & Vacated 4/30/13.
9. Human Services – Social Worker/Case Manager-Juvenile Court Intake/Disposition - Vacated 4/19/13.
10. Human Services – Social Worker/Case Manager-Long Term Care - Vacated 5/3/13.
11. NEW Zoo – Assistant Zookeeper (x2) - Vacated 5/10/13.
12. Planning and Land Services – Survey Crew Chief.
13. Public Works – Civil Engineer - Vacated 5/3/13.
14. Public Works – Highway Laborer - Vacated 12/14/12.

Communications

15. Communication from Supervisor Nicholson re: Review the ordinance/policy/county code that prohibits county employees to do lobbying own interest on county time. *Held for one month.*
 - a) **Closed Session** Pursuant to Wis. Stats. §19.85(1)(f): Considering financial, medical, social or personal histories or disciplinary data of specific persons, preliminary consideration of specific personnel problems or the investigation of charges against specific persons except where par. (b) applies which, if discussed in public, would be likely to have a substantial adverse effect upon the reputation of any person referred to in such histories, data, or involved in such problems or investigations.
16. Communication from Supervisor Nicholson re: To invite the Deputy Corporation Counsel who prepared and advised Supervisor Steffens for the last eleven months resolution (term limits) explaining the position of the opinion. *Referred from April County Board.*
17. Communication from Supervisor Campbell re: Setting up a college-level internship program with one or two interns assigned to market to the public our programs and facilities. *Referred from April County Board.*

18. Communication from Supervisor Campbell re: To refer for review by Executive Committee and Public Safety step pay for public safety employees with possible action. *May 1, 2013 Public Safety Minutes attached with recommendation to Executive Committee.*
19. Communication from Supervisor Robinson re: Request the County Board consider the creation of an annual award that would recognize an individual, group or organization that has worked to highlight the positive impact diversity has upon our community. *Referred from April County Board.*
20. Communication from Supervisor Buckley re: Review what is the work week for the 24/7 employees. *Held for two months.*
21. Communication from Supervisor Erickson re: Supervisors are requesting resolutions be drawn up before the parent committee has ever looked at or discussed the topic. All resolutions should start with the committee chair or board chair or vice-chair. *Referred from March County Board.*
22. Communication from County Board Chair Moynihan re: Request the Executive Committee formulate a directive in which a standing committee may endorse the nomination of citizen recognition in the form of a resolution/commendation. *Referred from March County Board.*
23. Communication from County Board Chair Moynihan re: Instruct I.S. to develop a "Spotlight" section on the Brown County Website which reflects a Brown County Citizen's accomplishments in volunteerism and/or philanthropic work. *Referred from March County Board.*
24. Communication from Supervisor Fewell re: To approve a proclamation honoring the Pulaski High School Boys Basketball Team on winning the WIAA Division 2 State Boys Basketball Championship. *Referred from March County Board.*

Legal Bills

25. Review and Possible Action on Legal Bills to be paid.

Other

26. Discussion of the Chapter 4 modifications and the effects on departments that operate 24 hours per day, seven days per week. *Held for one month.*
27. Budget Adjustment Request (13-37) Category 4: Interdepartmental reallocation or adjustment (including reallocation from the County's General Fund): Request to transfer \$500,000 from the General Fund to be appropriated to the demolition, recycling and hazardous materials abatement for the old Mental Health Center located on St. Anthony Drive in Green Bay.

Reports

28. **County Executive Report.** (None)
29. **Internal Auditor Report.**
 - a) Budget Status Financial Report for March, 2013.
 - b) Brown County Bank Account Reconciliation Review.

Resolutions, Ordinances

30. Resolution to Approve Submission Requirements for Proposed Amendments to the Annual Budget by Board Supervisors.
31. Resolution re: Change in Table of Organization Neville Public Museum Curator.

Closed Sessions:

32. Update and discussion on the prohibited practice complaint filed by the Brown County Sheriff's Department Non-Supervisory Labor Association.
33. Update and discussion on the prohibited practice complaint filed by the Brown County Airport Labor Association

Closed session on Both No. 32 and 33 above: Update, discussion and possible action on the prohibited practice complaints filed by the Brown County Sheriff's Department Non-Supervisory Labor Association and the Brown County Airport Labor Association, pursuant to Wis. Stats. §19.85 (1) (e) and (g) deliberating or negotiating the investing of public funds, or conducting other specified public business, whenever competitive or bargaining reasons require a closed session and conferring with legal counsel for the

governmental body who is rendering oral or written advice concerning strategy to be adopted by the body with respect to litigation in which it is or is likely to become involved.

Reconvene in open session:

- a. Update, discussion and possible action on the prohibited practice complaints filed by the Brown County Sheriff's Department Non-Supervisory Labor Association.
- b. Update, discussion and possible action on the prohibited practice complaints filed by the Brown County Airport Labor Association.

Agenda item:

34. Update and discussion on the two Appeals Cases regarding Green Bay Professional Police Association, et al v. City of Green Bay and Brown County, Court of Appeals Case No. 2013 AP 269 (Writ of Mandamus) and Case No. 2013 AP 270 (Wis. Stat. §111.70(4)(mc)6).

Closed Session on No. 34 above: Update and discussion on the two Appeals Cases regarding Green Bay Professional Police Association, et al v. City of Green Bay and Brown County, Court of Appeals Case No. 2013 AP 269 (Writ of Mandamus) and Case No. 2013 AP 270 (Wis. Stat. §111.70(4)(mc)6), pursuant to Wis. Stats. §19.85 (1) (g) conferring with legal counsel for the governmental body who is rendering oral or written advice concerning strategy to be adopted by the body with respect to litigation in which it is or is likely to become involved.

Reconvene in open session:

- a. Update, discussion and possible action on the two Appeals Cases regarding Green Bay Professional Police Association, et al v. City of Green Bay and Brown County, Court of Appeals Case No. 2013 AP 269 (Writ of Mandamus) and Case No. 2013 AP 270 (Wis. Stat. §111.70(4)(mc)6).

Agenda item:

35. Update and discussion on the employee Grievances filed with the County involving work related issues in department.

Closed Session on No. 35 above: Update and discussion on the Grievances filed with the County involving work related issues in department, pursuant to Wis. Stats. §19.85 (1) (e) and (f) deliberating or negotiating the investing of public funds, or conducting other specified public business, whenever competitive or bargaining reasons require a closed session and considering personal histories or disciplinary data of specific persons, preliminary consideration of specific personnel problems or the investigation of charges against specific persons which if discussed in public, would be likely to have a substantial adverse effect upon the reputation of any person referred to in such histories, data or involved in such problems or investigations.

Reconvene in open session:

- a. Update, discussion and possible action on the employee Grievances filed with the County involving work related issues in department.

Agenda Item:

36. Discussion and possible action as to competitive bargaining of salary and compensation for positions in human services department. *Referred from April 24, 2013 Human Services meeting, minutes attached.*

Closed Session on No. 36 above: Discussion as to competitive bargaining of salary and compensation for positions in human services department, pursuant to Wis. Stat. § 19.85 (1)(e) deliberating or negotiating the purchasing of public properties, the investing of public funds, or conducting other specified public business, whenever competitive or bargaining reasons require a closed session.

Reconvene in open session:

- a. Discussion and possible action as to competitive bargaining of salary and compensation for positions in human services department.

Other

- 37. Such other matters as authorized by law.
- 38. Adjourn

Tom Lund, Chair

Notice is hereby given that action by the Committee may be taken on any of the items, which are described or listed in this agenda. The Committee at their discretion may suspend the rules to allow comments from the public during the meeting. Please take notice that it is possible additional members of the Board of Supervisors may attend this meeting, resulting in a majority or quorum of the Board of Supervisors. This may constitute a meeting of the Board of Supervisors for purposes of discussion and information gathering relative to this agenda.

BROWN COUNTY HUMAN SERVICES

111 N. Jefferson Street
P.O. Box 22188
Green Bay, WI 54305-3600



Brian Shoup, Executive Director

**MEETING OF THE HUMAN SERVICES BOARD
Thursday, May 9, 2013**

**SOPHIE BEAUMONT BUILDING, BOARD ROOM A
111 NORTH JEFFERSON, GREEN BAY, WI 54311
5:15 P.M.**

AGENDA

Presentation of Barbara Bauer Award

Awarded to: Mary Johnson
Time: 5:15 p.m.

Board Meeting Start Time: 5:30 p.m.

1. Call Meeting to Order.
2. Approve/Modify Agenda.
3. Approve Minutes of April 11, 2013 Human Services Board Meeting.
4. **PUBLIC HEARING 2014 BUDGET.**
5. Executive Director's Report.
6. Financial Report for Community Treatment Center and Community Programs.
7. *Statistical Reports.
 - a. Monthly Inpatient Data – Community Treatment Center.
 - b. Monthly Inpatient Data – Bellin Psychiatric Center.
 - c. Child Protection – Child/Abuse/Neglect Report.
 - d. Monthly Contract Update.
8. *Request for New Non-Continuous Vendor.
9. *Request for New Vendor Contract.
10. Other Matters.
11. Adjourn Business Meeting.

**Note: attached as written reports*

Notices:

Notice is hereby given that action by the Human Services Board may be taken on any of the items, which are described or listed in this agenda.

Please take notice that additional members of the Board of Supervisors may attend this meeting of the Human Services Board, resulting in a majority or quorum of the Board of Supervisors. This may constitute a meeting of the Board of Supervisors for purposes of discussion and information gathering relative to this agenda.

Any person wishing to attend the Human Services Board meeting who, because of a disability, requires special accommodations, should contact the Human Services Department at (920) 448-6006 by 4:30 p.m. on the day before the meeting so that arrangements can be made.



MAY 2013

SUNDAY	MONDAY	TUESDAY	WEDNESDAY	THURSDAY	FRIDAY	SATURDAY
			1 Public Safety 4:30 pm Ed and Rec 5:45 pm	2	3	4
5	6 Executive Cmte 5:30 p.m.	7	8	9	10	11
12 Mothers Day	13	14	15 Special Exec 6:30pm Board of Supervisors 7:00 pm	16	17	18
19	20 Land Con 5:00 pm PD&T to follow	21 Vets Recognition Subcommittee 5:00 pm	22 Human Svc 6:00 pm	23 Admin Cmte 5:00 pm	24	25
26	27 Memorial Day County Board Office Closed 	28	29 Criminal Justice Coordinating Board 8 am	30	31	



JUNE 2013



SUNDAY	MONDAY	TUESDAY	WEDNESDAY	THURSDAY	FRIDAY	SATURDAY
						1
2	3	4	5 Public Safety 5:30 pm	6 Ed & Rec 5:30 pm @ Museum	7	8
9	10 Executive Cmte 5:30 pm	11	12 Special Board of Supervisors 6:00 pm	13	14	15
16 Father's Day	17	18 Vets Recognition Subcommittee 5:00 pm	19 Board of Supervisors 7:00 pm	20	21	22
23	24 Land Con 6:00 pm PD&T 6:15 pm	25	26 Human Svc 6:00 pm	27 Admin Cmte 5:00 pm	28	29
30						

BROWN COUNTY COMMITTEE MINUTES

- Board of Adjustment (April 29, 2013)
- Board of Health (November 13, 2012)
- Planning Commission Board of Directors (April 3, 2013)

To obtain a copy of Committee minutes:

http://www.co.brown.wi.us/minutes_and_agendas/

OR

Contact the Brown County Board Office or the County Clerk's Department

MINUTES FOR THE APRIL 29, 2013, BOARD OF ADJUSTMENT

The following are the results of a public hearing that was held before the Board of Adjustment ("Board"), created under and by virtue of the Brown County Shorelands and Wetlands Ordinance, Chapter 22; Private Sewage System Ordinance, Chapter 11; and Floodplains Ordinance, Chapter 23, in Room 391, 3rd floor of the Northern Building, 305 E. Walnut St., Green Bay, at 4:30 p.m. on Monday the 29th day of April, 2013. The appeal taken by Scott Dorschner denying his request for the grade elevation around the foundation of his proposed residence to be at an elevation of 590 for a horizontal distance of 3 feet from the foundation instead of the required 15 feet was **granted**. The property is Lot 11 of Town of Scott Assessor's Plat #2 in the Town of Scott at 4285 Nicolet Drive, Parcel # SC-1602-11 ("Property"). **Vote 3-0**

Dated this 1st day of May, 2013.

Brown County Board of Adjustment
Allan Duchateau
Bill Ullmer
Richard Huxford
Vacant-Alternate

PROCEEDINGS OF THE BOARD OF HEALTH MEETING
Tuesday, November 13, 2012
5:00 PM

Present: Don Murray, Joe VanDeurzen, Audrey Murphy, J. Tibbetts,
MD, Harold Pfotenhauer

Excused: Patricia Bacelis-Leon

Staff Present: Judy Friederichs, John Paul

Guests Present: Ryan Krumrie, 4432 Indian Trail; Steve Deslauriers, Brown
County Citizens for Responsible Wind Energy (BCCRWE);
Barb VandenBoogart (BCCRWE); Tony Loretz, Sanimax;
Scott Stein, Leonard & Finco

1. CALL TO ORDER AND INTRODUCTIONS

Staff and guests introduced themselves.

2. APPROVAL / MODIFICATION OF THE AGENDA

To approve the revised agenda: Van Deurzen / Tibbetts

MOTION CARRIED

3. APPROVAL OF MINUTES OF September 11, 2012

To receive and place on file: Van Deurzen / Tibbetts

MOTION CARRIED

4. REQUEST FROM HUMAN SERVICES COMMITTEE REQUESTING
REVIEW OF DIFFERENT OPTIONS, TOOLS AND AVENUES OF
ACTION (REGARDING ODOR ENFORCEMENT)

Audrey stated that the Human Services Committee did not agree with changes to the ordinance recommended by the Board of Health. The committee asked that a report be presented at their next meeting regarding what has been done to address the problem so far and what strategies might be tried in the future.

John Paul said that he has surveyed other local health departments regarding nuisance ordinances in their jurisdictions. Fines for ordinance violations are between \$5 and \$500. As far as John can tell, Brown County is the only jurisdiction that has progressive fines for nuisance ordinance violations. Only one of the ten departments that he surveyed has a specific odor ordinance. Craig Kratcha found a zoning ordinance that referenced odor, but John did not feel that zoning has anything to do with the current issues being discussed in Brown County.

Dr. Tibbetts confirmed with John that if the number of verifiable complaints in the ordinance were reduced from 3 to 2, there would have been 7 citations issued. As it stands, there were no citations in 2012.

Don Murray asked John if staff communicate with the company between the second and third complaint. John said that staff communicate with the company following every complaint.

Judy said that Corporation Counsel Ruenzel stated that the reduction in verifiable complaints needed for a citation may not be strong enough to hold up to a court challenge. Joe Van Deurzen asked if the Brown County ordinance is the strongest in the state. John said that, from a fine standpoint, the Brown County ordinance is the strongest – but the language in most of the ordinances he has reviewed is very similar. Joe asked if John had reviewed any ordinances from major metropolitan areas. John said that he has read Milwaukee's ordinance.

Audrey said that she feels that the county already has an ordinance in place that, along with enforcement by Health Department staff, addresses this issue. Joe further commented that there isn't a machine that measures the level of odor, which makes any ordinance harder to enforce. He commented that companies have spent a considerable amount of money to address the odor problem and asked John if they are now using the best technology available or whether there are further options to try.

John said that his staff has developed relationships with the management of all of the plants that the department has received complaints on. They have made a considerable effort and have been cooperative when dealing with BCHD staff.

Audrey asked if Judy had any thoughts on the response requested by the Human Services Committee. Judy said that she had talked to Supervisor Evans and said that it was hard to get her hands around the request. He told her that he recommended just appearing before the committee and giving an overview of what is being done now and what has been done in the past.

MOTION: To stand by the existing ordinance. Van Deurzen / Tibbetts

MOTION CARRIED

MOTION: To depart from the regular order of business.

Tibbetts / Van Deurzen

MOTION CARRIED

Joe asked Tony Loretz what Sanimax has spent in the last two years on odor control. Tony said that they have spent \$1.8 million on odor issues, which was included in \$10 million in expenses to improve equipment reliability. They plan to make every effort this winter to study the issue and find ways to reduce the problem next summer. Audrey asked if Sanimax employs scrubbers and whether more scrubbers might be added in the future. Tony said that they do have scrubbers and that the capacity of those scrubbers is sufficient to meet future needs. In the company's budgeting, odor is a top priority for 2013.

Judy asked Tony about measurements that a consultant is taking for them. Tony said that they have been able to make several adjustments to their process as a result of those measurements. They are going to continue testing throughout the winter months and adjust as needed.

MOTION: To return to the regular order of business.

Van Deurzen / Tibbetts

MOTION CARRIED

5. ODOR COMPLAINTS

John reported two complaints on different days in the last two months on Sanimax. One was a verifiable complaint from Green Bay Converting; the other was a call from Sanimax indicating an equipment problem. John verified that complaint himself.

6. REVISIT ACTION AT SEPTEMBER MEETING RELATING TO WIND TURBINE ZONING AND HEALTH ISSUE INFORMATION

Audrey reminded board members of the motion made at the last meeting to address the zoning implications of wind turbine zoning and to provide information to municipalities regarding possible health effects of wind turbines.

Audrey checked into the zoning issue and has concluded that local municipalities cannot use zoning to prevent wind turbines in their

community. Regarding the information for municipalities regarding health effects, Dr. Tibbetts stated that the BCCWE plans to provide information to neighboring municipalities.

Joe stated that he still questions whether municipalities would be able to control construction through zoning. He asked how the issue of karst features prevented further construction a few years ago. Audrey stated that the company ultimately withdrew their application.

6a. REQUEST FOR STATE FUNDING FOR LOW-FREQUENCY NOISE MEASUREMENT ON BEHALF OF INDIVIDUALS IN THE SHIRLEY WIND PROJECT WHO ARE EXPERIENCING ADVERSE HEALTH EFFECTS

MOTION: To depart from the regular order of business so that the public can be heard.
Tibbetts / Van Deurzen

MOTION CARRIED

Steve Deslauriers said that Act 40 did take away local control of construction of wind turbines but it also requires that the state protect the health of citizens. He feels that the PSC has not met this requirement and is currently moving quickly to approve construction of a new turbine project. He stated that the PSC acknowledges that low-frequency noise is a concern but are not addressing the problem for people who are already located near turbines. The BCCRWE is not saying that low-frequency noise is the cause of the health problems people are experiencing, but there is a definite correlation between the noise and the symptoms. They are now requesting that the Brown County Board of Health be the objective entity that facilitates the low-frequency noise study that is being planned. He presented a proposed ordinance to that effect to the board and noted that the PSC should be asked to fully fund the study since the local community does not have the means.

Barbara VandenBoogart said that an expert from Clean Energy (the group that is in support of developing the new project) said that a project with the same conditions as those in Glenmore could produce the same health effects for the local population as have been reported in Glenmore.

Joe asked if the Board of Health would have the expertise to oversee such a study. Judy said that she is not sure that the board would have the authority to choose a company outside of the approved purchasing process, which is geared toward accepting the lowest bid. Barbara said that there are a limited number of experts available to do this testing and at least one of them has a strong connection to wind companies and may not be un-biased. Joe agreed that a government entity is required to

accept the lowest bid in most cases – so there may be another entity that would be more suited to this issue.

Steve suggested that there may be another way for the Board of Health to be involved in the process without overseeing it. Barbara asked that the Board send a letter to the PSC and include affidavits from those who have been affected by the Glenmore project. Steve said that this information would need to come from a government entity to be considered by the PSC.

Joe said that he supports a strongly-worded letter sent by registered mail with the affidavits.

Steve said that he is in support of this but is concerned that other communications from the board sent in the past have received no response. Barbara said that she would encourage that the letter include much of the body of the proposed resolution and should be sent to the Governor's office in addition to the PSC.

Joe asked if the issue of shadow-flicker should be included with this letter. Audrey, Dr. Tibbetts and Judy said that they think this issue is important but should be addressed separately at a later date.

Audrey asked who was asking the questions to the people whose affidavits were included in the packet sent to her by BCCRWE. Steve said that these were collected by attorneys when the PSC was deliberating over approval of the Highland Wind Project.

Audrey said that she wondered why the PSC was so concerned about approving this project since the state has met its renewable energy quota. Steve said that the state has met its quota, but it receives a large amount of shared revenue for the energy produced. He believes that the electricity will be sold to a neighboring state.

Don asked if Steve was aware of any communities that report success with wind projects. Steve said that projects in areas of lower population seem to have fewer problems. He said that projects like Shirley Wind affect so few people that they are considered collateral damage.

MOTION: To return to the regular order of business.

Van Deurzen / Pfothauer

MOTION CARRIED

6b. EXPLORE LOW-FREQUENCY NOISE ORDINANCE

Dr. Tibbetts said that this has been discussed in previous meetings. Because of the problems reported by Glenmore residence and possible future projects, it would behoove the board to act on creating an ordinance. If the ordinance is in effect, the board can require an impact study before a project is approved.

Joe asked if the existing nuisance ordinance can be revised to include low-frequency noise. Dr. Tibbetts said that this is what he was suggesting and that an expert such as Rick James be employed to help draft the ordinance. He further said that the ordinance should be for any low-frequency noise and not just noise that is produced by wind turbines. Audrey asked if the budget would allow for hiring a consultant. Judy said that she does not know what the cost would be but the budget is pretty tight. Audrey, Dr. Tibbetts and Joe said that the first step should be to find out if Mr. James is available and what his fee would be.

Don asked if an ordinance such as this would be affected by the same rules that a zoning ordinance would be, in that it could not supersede PSC rule 128. Dr. Tibbetts said that Calumet County has already done this and it appears that this is not covered by PSC 128.

Dr. Tibbetts said that there is a gentleman who just moved into a new house in Suamico near a cheese factory and had Wind Turbine Syndrome the first night. He was taken to the Ehrfurth residence and experienced the same symptoms within 20 minutes. This indicates that low-frequency noise is not just an issue of wind turbines. Steve said that, even if this ordinance would not be enforceable for wind turbines due to PSC 128, it would be a message to developers that local municipalities are attempting to protect the health of their residents. He also said that a lawsuit in court right now could result in PSC 128 being thrown out, in which case the low-frequency noise ordinance would immediately be in effect for turbines.

MOTION: To place this on the next meeting's agenda the exploration of a low-frequency noise ordinance along with a report from Dr. Tibbetts regarding the possibility of using Mr. James to help develop the ordinance and the cost.

Van Deurzen / Tibbetts

MOTION CARRIED

7. UPDATE ON STATUS OF 2013 BUDGET

Judy said that the budget was approved by both the Human Services committee and the full County Board with no changes. Dr. Tibbetts asked

if the vision and hearing screening program was still included. Judy said that it is. The County Executive signed the budget with one veto related to a car in the Sheriff's budget.

8. CORRESPONDENCE RECEIVED

Audrey said that the letter from Sandy Johnson included in the meeting packet was very well written.

Judy also mentioned the low-frequency noise study that was sent separately to board members.

9. DIRECTOR'S REPORT

Judy reported that Jean Vang is a new Public Health Nurse that started on November 12th. Jean replaces a nurse who left the department to work for Green Bay Public Schools.

The sanitarians are moving toward the HealthSpace program for electronic inspections. Staff will now be able to sort data more quickly and easily and generate reports required by the state.

A LEAN project was completed by Environmental and Clerical staff along with Information Services and three LEAN facilitators. This project looked at the process of licensing new establishments. At the end the group left with a list of assignments to complete within a specified series of time.

The city of De Pere is again exploring the possibility of consolidating their health department with Brown County's following the loss of their Health Officer and Sanitarian. They had requested that BCHD contract with them to provide a sanitarian for 20 hours a week. Judy informed them that Brown County does not have staff to spare for such an agreement.

Judy said that staff are working on a variety of contracts for things such as immunization billing to HMOs; regional trauma preparedness; local preparedness services (Kewaunee County); Childhood Lead Poisoning services (Marinette and Oconto Counties).

Brown County's Risk Management department is reviewing HIPAA compliance policies and procedures and has gathered a variety of information from the Health Department regarding records stored on paper and electronically.

Judy reported that she is back to work full-time after her medical leave.

Communicable Disease Report:

Staff are following up with close contacts to a case of active TB in Sheboygan. They are working with a consultant in Texas regarding recommended follow-up specifically for young children.

A multiple-drug-resistant case of TB that staff have been working with continues to struggle with side-effects of medications. This person has been on a particularly long course of treatment but staff are optimistic.

Two family members with Rifampin-resistant TB will complete their treatment in March and April of 2013.

A report of suspected acute Hepatitis A was recently reported.

A suspected foodborne outbreak related to two different birthday parties at an establishment was later determined to be an outbreak of Norovirus.

Fewer cases of Pertussis were reported since the last board meeting. There were a total of nine cases reported in September and October with no hospitalizations.

10. ALL OTHER BUSINESS AUTHORIZED BY LAW

Audrey said that she would work with Judy and Dr. Tibbetts to draft the letter to the PSC, etc. regarding the low-frequency noise study. Don stated that it is important to point out to the state that they have a burden to bear regarding the health of its citizens. Dr. Tibbetts said that he has the materials that need to be included with the letter.

11. ADJOURNMENT / NEXT MEETING JANUARY 8, 2012

MOTION: To adjourn at 7:05 PM Tibbetts / Murray

MOTION CARRIED

MINUTES
BROWN COUNTY PLANNING COMMISSION
BOARD OF DIRECTORS
Wednesday, April 3, 2013
Green Bay Metro Transportation Center
901 University Avenue, Commission Room
Green Bay, WI 54302
6:30 p.m.

ROLL CALL:

Paul Blindauer	<u>X</u>	Jack Lewis	<u>Exc</u>
James Botz	<u>X</u>	Michael Malcheski	<u>X</u>
William Clancy	<u>X</u>	Ken Pabich	<u>Exc</u>
Norbert Dantinne, Jr.	<u>X</u>	Scott Puyleart	<u>X</u>
Ron DeGrand	<u>X</u>	Dan Robinson	<u>Exc</u>
Bernie Erickson	<u>X</u>	Ray Tauscher	<u>Exc</u>
Steve Gander	<u>X</u>	Mark Tumpach	<u>Exc</u>
Adam Gauthier	<u>X</u>	Steve VandenAvond	<u>Abs</u>
Steve Grenier	<u>Exc</u>	Tim VandeWettering	<u>X</u>
Phil Hilgenberg	<u>X</u>	Jason Ward	<u>X</u>
Dotty Juengst	<u>Exc</u>	Dave Wiese	<u>X</u>
John Klasen	<u>X</u>	Reed Woodward	<u>X</u>

OTHERS PRESENT: Lisa J. Conard, Jeremy Du Chateau, Chuck Lamine, and Peter Schlein.

N. Dantinne called the meeting to order at 6:30 p.m.

1. Approval of the minutes of the March 6, 2013, regular meeting of the Brown County Planning Commission Board of Directors.

A motion was made by R. DeGrand, seconded by A. Gauthier, to approve the minutes of the March 6, 2013, regular meeting of the Brown County Planning Commission Board of Directors. Motion carried.

B. Erickson announced that Mr. Norb Dantinne recently retired from serving for 30 years as the Chair of the Town of Humboldt. A round of applause ensued.

2. Introduction of new members to the Brown County Planning Commission Board of Directors: Jason Ward, appointed by the villages of Hobart and Suamico; and John Klasen, appointed by the towns of Lawrence and Wrightstown.

C. Lamine introduced and welcomed Mr. Ward and Mr. Klasen to the planning commission.

3. Review and action regarding the Citizens Participation Plan for the Brown County Comprehensive Plan update.

C. Lamine stated that the State of Wisconsin is requiring the adoption of a Citizen Participation Process for the comprehensive plan effort.

C. Lamine provided an overview of the proposed Citizens Participation Plan.

The BCPC Board of Directors will serve as the primary steering committee for the comprehensive plan update. All comprehensive plan update agenda items will be discussed during their regular meetings, unless otherwise publicly noticed.

C. Lamine stated that all draft chapters will be placed on the Brown County Planning Commission website located at <http://www.co.brown.wi.us/Planning>. The draft chapters will also be available in the planning office. In addition, neighboring governmental jurisdictions will receive via mail or email, all agendas and minutes of the planning commission meetings when the comprehensive plan is on the agenda.

C. Lamine stated that when the draft plan update has been compiled, a public open house meeting will be held. Participants will have the opportunity to discuss the recommendations with planning staff and committee members and to suggest modifications to be considered. Following the open house meeting, a public hearing will be held in front of the BCPC Board of Directors to receive additional input on the comprehensive plan.

Following the public hearing, the draft plan update and feedback from the public hearing will be presented to the BCPC Board of Directors and Brown County Planning, Development, and Transportation (PD&T) Committee for their recommendation to the County Board. The County Board will act upon the draft plan at a regularly scheduled board meeting.

R. Woodward stated he was made aware of pending state legislation with respect to the relationship between town, village, and city comprehensive plans with county-wide plans and asked for clarification.

C. Lamine stated he was aware of pending legislation but did not have all the details. C. Lamine stated he would provide the board with a summary/implications at the next planning commission meeting.

A motion was made by R. DeGrand, seconded by P. Blindauer, to approve the Citizens Participation Plan for the Brown County Comprehensive Plan update. Motion carried.

4. Summary of Annual Report submitted to the Wisconsin Department of Natural Resources related to Brown County Municipal Storm Water System (MS4) Permit.

P. Schleinz provided an overview of the annual report. He stated that in 2006, Brown County was required to submit a MS4 permit to the WDNR. The permit relates to developed areas within urbanized areas of Brown County, as designated by the Census of 2000. The permit was a requirement of the Clean Water Act for all municipalities and counties with an urbanized area that had areas with no previous storm water management requirements.

The primary areas affected by the permit in Brown County are county highways.

P. Schleinz stated basic requirements of the permit include removal of Total Suspended Solids by 20% by the year 2008 and recommendation for removal of 40% by the year 2013.

The annual report addresses 2012 efforts and designates goals for the next year in 10 specific areas.

P. Schleinz stated that over 100 potential collection sites are identified in the plan and the map identifying them is on the county website. In addition, the map is interactive. It is possible to click on a site and the collection history for the last five years (if collected at the site, as not all sites are collected each year) will be viewable.

B. Erickson stated that the Green Bay Metropolitan Sewage District, which was recently renamed NEWWater, is currently receiving 3% of all phosphorous discharge; the remaining 97% goes directly into the Fox River/Green Bay.

P. Schleinz stated that this effort does not tie in with that of NEWWater.

P. Blindauer asked if the DNR has provided comment regarding obtaining 40% TSS removal.

P. Schleinz stated that the WDNR reviews the plan on behalf of the EPA. WDNR staff has not provided comment in the past. With no comment issued by August, the plan is approved by law.

N. Dantine asked about documentation when a sample is collected near land that is active in agriculture one year but is in hay the next.

P. Schleinz stated that if they found illicit discharge, they would attempt to identify the source and then make a recommendation for correction.

A motion was made by A. Gauthier, seconded by J. Klasen, to receive and place on file the Annual Report Executive Summary. Motion carried.

5. Director's report.

C. Lamine stated that he is investigating ways in which to save on printing and mailing costs for the upcoming county comprehensive plan update. He stated it would cost \$500 to print copies of the current plan in black and white and make them available to all of the commissioners.

C. Lamine asked commissioners who served on the commission 10 years ago to use the copy they were issued. C. Lamine stated that copies of the plan were also sent to the communities and commissioners may find a copy in their clerk's office.

C. Lamine stated he plans to distribute a survey asking commissioners if they have a current plan and their preferences for receiving draft chapters (such as mail, electronic, or posting on the website).

P. Blindauer suggested that since this is an update to the existing plan, certain information will be tweaked and not completely re-written. In those cases, it may make sense to use the red-line editor feature in Word to allow for commissioners to easily identify changes.

P. Blindauer asked if a visioning session would be held.

C. Lamine stated that he did not anticipate having one. Staff will be analyzing the report recently issued by the Greater Green Bay Foundation.

P. Blindauer tended to agree stating he has mixed feelings about the value of a visioning session under an update where most of the information will just be tweaked.

All seemed to be in favor of a public open house when a draft document is complete.

C. Lamine agreed with this.

C. Lamine stated he anticipates the first chapter regarding county demographics to be submitted to the planning commission in May.

C. Lamine introduced Jeremy Du Chateau, the new GIS staff person. This position is supported with Land Information Office funds and is completely off the levy.

W. Clancy stated that he would like to commend the department for the work that they do. He stated that the department offers many services on-line that are very popular. He asked C. Lamine to quantify the efficiencies.

C. Lamine stated that GIS related products made available on-line have allowed many walk-in customers the ability to research land data from home or their office. This has reduced foot traffic in the office considerably.

Many of the commissioners stated that they or their staffs use the resources daily.

C. Lamine stated that currently the staff level is at 19. In the past, it was 28 (including planning, survey, property listing, zoning, and LIO staff). The office is doing more work and doing it more efficiently.

C. Lamine announced that the GIS staff is working with local units of government that have available lots within their business parks to create an online application that will allow a prospective buyer the opportunity to research property on a county-wide basis. All of the data would be on one (Brown County's) website. Currently a prospective buyer would have to contact each community to obtain this information.

S. Puyleart suggested that an application be created identifying all private residential lots that are available for sale. This would assist the homebuilders in helping their clients find lots in which to build on.

Members agreed this would be useful but cautioned the time commitment needed to keep the information updated.

C. Lamine announced that it was partnering with the Village of Suamico to complete an update of the village comprehensive plan. This will generate revenue for the department.

A motion was made by B. Erickson, seconded by J. Klasen, to receive and place on file the Director's report. Motion carried.

6. Brown County Planning Commission staff updates on work activities during the month of March 2013.

A motion was made by D. Weise, seconded by R. DeGrand, to receive and place on file the Brown County Planning Commission staff updates on work activities during the month of March 2013. Motion carried.

7. Other matters.

J. Botz requested an update of the south bridge and arterial project.

C. Lamine stated that staff continues to work on the EIS document in partnership with the Federal Highway Administration (FHWA) and WisDOT.

J. Klasen expressed frustration that a record of decision had not been made regarding the location of the crossing.

C. Lamine stated he would like to provide the board of directors with a complete update at the May 1 meeting.

N. Dantine asked for an update regarding the sale of the MHC property.

C. Lamine stated that an agreement has been reached with the Cardinal Capital Group. We are waiting to hear if the WHEDA affordable housing tax credits have been approved. It is anticipated that we will hear very soon.

A. Gauthier asked about the demolition of the MHC facility.

C. Lamine stated that the Public Works Department is seeking proposals to essentially tear down the building. It is estimated this will cost \$247,000. The county staff will then salvage and grind the concrete for use as highway base. The county will also see revenue as a result of recycling efforts. However, there will be costs associated with dealing with the asbestos.

D. Wiese stated he would be willing to receive his packet electronically to save the county the cost of printing and mailing.

8. Adjourn.

A motion was made by R. DeGrand, seconded by A. Gauthier, to adjourn. Motion carried.

The meeting was closed at 7:25 p.m.

**STAFF REPORT
TO THE
BROWN COUNTY PLANNING COMMISSION
April 3, 2013**

March 2013 Staff Activity Reports

The recent major planning activities of Chuck Lamine, Planning Director:

- Attended the Brown County Planning Commission Board of Directors meeting the evening of March 6.
- Continued to research, author, and analyze background materials for the Brown County Research and Technology Park feasibility report.
- Met with WHEDA and Cardinal Capital Management at the site of the proposed veterans' housing project on March 14 to discuss Cardinal Capital's WHEDA Tax Credit application.
- Coordinated a site monitoring visit with Wisconsin Department of Administration staff regarding the Brown County Housing Authority administration of the CDBG-Housing RLF program.
- Met with the County Principal Transportation Planner and Ashwaubenon's Community Development Planner to discuss economic development and transportation issues in the area.
- Participated in a meeting with the Principal Transportation Planner and WisDOT and Federal Highway Administration (FHWA) representatives to discuss the next steps in the EIS development process.
- Attended the Public Works Cabinet meeting with the County Executive.
- Met with the County Executive and Public Works Director to discuss Brown County Public Works design policy.
- Attended the Advance Municipal Issues meeting on March 7.
- Attended a meeting and served as the Brown County representative on the Village of Bellevue TIF Review Board.
- Attended the March 11 meeting and served as a member of the Green Bay/Brown County Professional Football Stadium District Board.
- Conducted staff meetings.
- Reviewed job descriptions for the vacant Secretary III position and the soon to be vacant Survey Crew Chief position.
- Attended the Brown County Legislative Breakfast meeting on March 22.
- Attended the March 25 Planning, Development and Transportation Committee meeting and provided an update regarding the development of the Brown County Farm property as a Research and Technology Business Park.
- Met with UWGB Chancellor Harden and County staff regarding the development of the Brown County Farm property as a Research and Technology Business Park.

The recent major planning activities of Cole Runge, Principal Transportation Planner:

- Prepared information for a presentation to the Village of Allouez Plan Commission about the process to follow to update comprehensive plans.
- Developed staff reports to the BCPC Transportation Subcommittee and BCPC Board of Directors concerning new Adjusted Urbanized Area and Metropolitan Planning Area Boundaries. Also presented the staff reports to the Subcommittee and Board and answered

questions. After the Board approved the new boundaries, I assembled the approved maps and resolutions and sent them to WisDOT.

- Presented the existing functionally classified street system to the BCPC Transportation Subcommittee and discussed the update process for the system. Also collected suggested updates from Subcommittee members and worked with MPO staff to develop a summary of recommended updates for WisDOT's Northeast Region staff to review.
- Met with the County Planning Director and Ashwaubenon's Community Development Planner to discuss economic development and transportation issues in the area.
- Developed infrastructure cost estimates for the Brown County Research and Technology Park. Also prepared for and participated in a meeting with BCPC staff and a consultant to discuss potential layouts and financials for the development.
- Prepared for and participated in a meeting with Green Bay Metro administrative staff and the Transportation Planner to discuss the results of a survey of Metro riders.
- Prepared for and participated in a meeting with the County Planning Director and WisDOT and Federal Highway Administration (FHWA) representatives to discuss the next steps in the EIS development process.
- Reviewed computer traffic model outputs from WisDOT that will be used to develop the microsimulation traffic model for the EIS's Interstate Access Justification Report (IAJR).
- Developed an Environmental Report for the section of CTH GV that is scheduled to be reconstructed between CTH G and CTH X. Also sent the report to WisDOT for review.
- Reviewed and responded to questions from WisDOT about Traffic Analysis Zone (TAZ) data in the Northeast Region Transportation Demand Model.
- Reviewed and commented on transportation planning funding scenarios for 2014 that were developed by WisDOT and FHWA.
- Attended a meeting of the Green Bay Transit Commission.

The recent major planning activities of Aaron Schuette, Principal Planner:

- Continued researching and writing the Port Opportunity Study for the Port of Green Bay.
- Began a CDBG-Housing program waiting list with currently 14 potential loans.
- Prepared and submitted the 1st Quarter 2013 Wisconsin Coastal Management Grant quarterly report.
- Coordinated with the Village of Howard, AECOM, and WDNR regarding submittal of the site-specific eligibility request.
- Attended the Town of Green Bay Planning Commission meeting on the evening of March 21 to discuss the Working Lands Initiative.
- Met with the Ledgeview Administrator on March 6 to discuss various planning and zoning issues.
- Continued to research and analyze background materials for the Brown County Research and Technology Park feasibility report.
- Met with WHEDA and Cardinal Capital Management at the site of the proposed veterans' housing project on March 14 to discuss Cardinal Capital's WHEDA Tax Credit application.
- Worked with Brown County Department of Administration and Public Works to prepare and submit the materials necessary to close out the Energy Efficiency and Conservation Block Grant to the U.S. Department of Energy.
- Performed a site visit with the Senior Planner for a certified survey map/environmentally sensitive area question in the Town of Pittsfield.
- Assisted 38 members of the public or local units of government with specific planning, land division, CDBG-Housing program, or zoning related questions during March.

- Gave a presentation on the Fox-Wisconsin Heritage Parkway to the Lower Fox River/Green Bay Natural Resources Trustee Council on March 22.
- Continued working on the Town of Holland CDBG-PF grant application for a new community center / town hall.
- Continued to coordinate with the Wisconsin Department of Administration and the Northeastern Region counties regarding the CDBG-Housing program.

The recent major planning activities of Peter Schlein, Senior Planner:

- Began review of nine new certified survey maps (CSMs). Completed review of 12 CSMs.
- Completed review of two subdivision plat pre-submittal consultations and one preliminary subdivision plat.
- Completed review of three CSM reviews and two preliminary subdivision plats for Cities of Green Bay and De Pere.
- Responded to two public Water Quality Letter requests.
- Began or completed three environmentally sensitive area (ESA) amendments.
- Review of smaller ESA related issues and inquiries to develop solutions for the following communities: Town of Scott, Village of Ashwaubenon, Village of Bellevue, Village of Howard, and City of Green Bay among other smaller projects.
- A Village of Howard ESA Plan Correction to update wetland setback lines in order to allow residential development on Lot 154 of the Glen Kent Estates Second Addition subdivision. The Plan Correction was reviewed by BCPC staff on February 26.
- A Village of Howard ESA Plan Correction to update floodway setback lines and a floodway line in order to allow residential development on Lot 228 of the Glen Kent Estates Second Addition subdivision. The Plan Correction was reviewed by BCPC staff on March 18.
- A Village of Howard ESA Plan Correction to update wetland setback lines and a wetland line in order to allow residential development on Lots 180, 181, 182, and 183 of the Glen Kent Estates Second Addition subdivision. The Plan Correction was reviewed by BCPC staff on March 18.
- Review of smaller ESA and SSA related issues and inquiries to develop solutions for smaller projects.
- Continued the organization and development of an update to the Sewer Service Area portion of the Brown County Sewage Plan.
- Continued the development of the MS4 Permit Annual Report for the Wisconsin Department of Natural Resources. An executive summary of the report will be presented to the BCPC Board of Directors on April 3.
- Attended Brown County Planning Commission Board of Directors meeting on March 6.
- Attended Climate Initiative meeting in Green Bay on March 15.
- Attended Northeast Greenway Committee meeting in Menasha on March 21.
- Continued to utilize an online format for submitting and filing SSA amendments and ESA amendments with the Bureau of Watershed Management to expedite the review and approval process, saving time and money for staff and property owners.
- Provided planning services and ESA related duties, including advice to inquiries related to potential major and minor ESA amendments, identification of ESA violations, and assisting the public regarding "what is allowed and restricted" within an ESA buffer.
- Provided assistance and information to the general public, surveyors, and local units of government regarding various land divisions, potential developments, and general questions pertaining to the subdivision ordinance and general planning concepts via phone conversations and meetings.

The recent major planning activities of Lisa Conard, Transportation Planner I:

- Continued work on the *2014-2018 Transit Development Plan (TDP) for the Green Bay Metro System*.
 - Held second TDP work group meeting on March 6.
 - Continued writing draft chapters.
 - Researched peer system paratransit programs.
 - Researched peer system fixed route bus fares.
- Continued data collection effort and began writing the draft *2012 Green Bay Metro Annual Route Review and Analysis Report*. All of Metro's full service fixed routes, limited service routes, paratransit program, and other issues will be examined.
- Collected and published the 2012 Obligated Transportation Projects for the Green Bay Urbanized Area per federal regulations. A total of \$84,605,218 federal dollars were spent on transportation projects in 2012.
- Reviewed a request by the Village of Ashwaubenon to include additional streets/street segments to the urban area functional classification system.
- Finalized *Major Amendment #1 to the 2013-2017 Transportation Improvement Program (TIP) for the Green Bay Urbanized Area*. Updated Fiscal Constraint demonstration. Prepared and disseminated documents to FHWA, FTA, and WisDOT.
- Provided comment on the agenda for an upcoming WisDOT sponsored symposium regarding the impact of MAP-21 on MPO responsibilities.
- With the anticipated decrease of combined federal and state operating funding in 2013 for Green Bay Metro, collected and analyzed data and wrote a report examining transit service performance and operational costs after 7:35 p.m. on weekdays. The report was presented to Metro staff. Wrote a second report examining transit service performance and operational costs for Saturdays.
- Conducted research and met with Metro staff to discuss the advantages and disadvantages of the system being assigned to state funding tier A, B, or C.
- Updated public transportation services inventory for a NEWRATC publication.
- Consulted and/or provided information to Metro staff regarding various services, compliance, and/or other issues.
- Participated in the Green Bay Transit Commission meeting on February 27. Presented Green Saturday survey results.
- Participated in the Brown County Planning Commission Board of Directors Transportation Subcommittee meeting on February 25. Recorded and wrote minutes.
- Participated in the Brown County Planning Commission Board of Directors meeting the evening of March 6. Recorded and wrote minutes.

The recent major planning activities of Jeff DuMez, GIS/Land Records Coordinator:

- Hired and began training the new GIS Technician.
- Produced a 911 "Geo" data refresh to update the dispatch system with updated addresses, streets, fire and police dispatch recommendations, etc.
- Continued training and rebuilding of GIS applications following the data migration from the old system to the new one (10.1).
- Teleconferenced with software vendor Esri to plan for GIS servers.
- Assisted the Public Works Department with wetlands mapping.
- Assisted Public Safety staff with addressing and other issues.
- Met with Suamico staff to discuss GIS needs.

- Met with Town of Scott staff to discuss GIS needs.
- Troubleshoot numerous problems due to the software and hardware upgrades.
- Provided GIS data and other services to Wisconsin DOT, US Census, Bay Lake Regional Planning Commission, Mead & Hunt, Kaempfer & Associates, Mau & Associates, VandenPlas Sanitation, Geostellar, many of the local municipalities, and others.
- Assisted other people with miscellaneous service, data, and training requests.
- Attended staff meetings as needed.

The recent major planning activities of Dan Teaters, Planner I (GIS/Transportation):

- Performed work for the Brown County Research and Technology Park.
 - Created 19 maps showing existing site conditions.
 - Began working on a 3D model of the future Brown County Research and Technology Park. The model shows the existing terrain and structures surrounding the property along with the conceptual street layout and possible lot layout.
- Updated right-of-way maps for the Southern Bridge and Arterial EIS.
- Updated Functional Classification map for WisDOT to show requested additions to the FCS system made by local municipalities.
- Researched several cycling apps to investigate the possible creation of a Brown County Bicycle and Walking app.
- Made several updates to the Brown County Planning web pages.
- Participated in the regular staff meetings held every other Thursday morning.
- Attended the Transit Development Plan work group meeting #2 on March 6.
- Attended an AASHTO Bicycle Facility Design course in Madison on March 14.
- Attended the Land Information Council meeting on March 27.